

REMARKS

Claims 1 through 24 are pending in this application. Claims 1, 9 and 17 are the independent claims. Claims 1, 2, 9, 10 and 17 have been amended to incorporate minor stylistic and/or grammatical corrections that are unrelated to patentability. Although claim 24 is different from that presented in the After-Final Response, filed June 30, 2003, it has not been amended in this response but has only been corrected to accurately reflect the claim from a Preliminary Amendment, filed January 21, 2000, that changed the claim to depend from claim 17.

Claims 1, 2, 9, 10, 17 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Boucher et al, U.S. Patent No. 6,226,680 B1. Claims 3, 4, 11, 12, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher in view of Osborne, U.S. Patent No. 6,078,733.

Claims 5, 6, 13, 14, 21 and 22 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Boucher in view of Osborne and further in view of Krishnan et al., U.S. Patent No. 4,922,416.

Claims 7, 8, 15, 16, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher in view of Osborne and further in view of Krishnan et al. and Chow et al, U.S. Patent No. 6,052,387. Applicant traverses the rejections, and requests reconsideration thereof for the following reasons.

35 U.S.C. § 102(e) Rejections

Claims 1, 2, 9, 10, 17 and 18 are Patentable Over the Prior Art

Claims 1, 2, 9, 10, 17 and 18 are rejected under 35 U.S.C. § 102(e) as being anticipated by Boucher et al, U.S. Patent No. 6,226,680 B1. This rejection is respectfully traversed.

Referring to claim 1, the Examiner states that Boucher discloses a method of reading data from a remote memory of a remote device to a local memory of a local device across a network, the method comprising:

“sending a message from the local device to the remote device, via the network, said message including a transport header indicating a message type (column 1, lines 48-52, column 3, lines 35-46, column 4, lines 65-67, 21-23, column 5, lines 5-11, 31-44, column 6, lines 12-18, 30-32, column 7, lines 24-30, column 8, lines 9-11, 39-47, column 9, lines 40-49, column 11, lines 17-20, column 12, lines 5-15);

determining, at the remote device, if the transport header of said message identifies the message as a remote Direct Memory Access read operation (column 11, lines 1-20);

if the transport header of said message identifies the message as said remote Direct Memory Access read operation, then performing a remote Direct Memory Access write operation at the local device in accordance to data elements included in said message (column 18, lines 30-48).

Regarding independent claim 1, claim 1 has been amended to incorporate minor stylistic and grammatical corrections and now recites, *inter alia*:

determining, at the remote device, whether the transport header of said message identifies the message as a remote Direct Memory Access (rDMA) read operation; and

performing a remote Direct Memory Access (rDMA) write operation at the local device in accordance with data elements included in said message, if the transport header of said message identifies the message as said remote Direct Memory Access (rDMA) read operation.

Contrary to the Examiner’s assertion, there is nothing in the applied portions of, or for that matter anywhere in, the Boucher et al. patent that discloses or suggests “determining, at the remote device, whether the transport header of said message identifies the message as a remote Direct Memory Access (rDMA) read operation” and/or “performing a remote Direct Memory Access (rDMA) write operation at the local device in accordance with data elements included in said message, if the transport header of said message identifies the message as said remote Direct Memory Access (rDMA) read operation,” as recited in claim 1. There are no references to rDMA, rDMA read or rDMA write operations or the use thereof anywhere in the Boucher et al. patent.

Instead, the Boucher et al. patent is directed to methods for communicating between a network and a host computer in which “fast-path” processing of data received from or to be sent to the network can be used within the host computer to bypass the multiple protocol stacks in the host computer to directly send the network data “to and from a desired location or buffer on a host.” (See column 3, lines 35 through 48; column 5, lines 15 through 61; FIGs. 4A, 4B, 4C, 4D and 5; column 7, line 21 through column 8 line 47.) The Boucher et al. patent is directed to using Direct Memory Accessing (DMA), which is used within a single computer to enable “data to be sent directly from an attached device (such as a disk drive) to the memory on the computer’s motherboard.” (Source: http://searchvb.target.com/gDefinition/0,294236,sid8_gci213903,00.html.) Therefore, the Examiner has failed to meet the burden of establishing a *prima facie* case of anticipation of claim 1, since the Boucher et al. patent fails to disclose “each and every element of the claimed invention.” In re Paulsen, 30 F.2d 1475, 31 USPQ2d 1671 (Fed. Cir. 1994). Specifically, the Boucher et al. patent, at a minimum, fails to disclose:

“determining, at the remote device, whether the transport header of said message identifies the message as a remote Direct Memory Access (rDMA) read operation; and performing a remote Direct Memory Access (rDMA) write operation at the local device in accordance with data elements included in said message, if the transport header of said message identifies the message as said remote Direct Memory Access (rDMA) read operation,”

as recited in claim 1.

Accordingly, Applicant believes the above arguments have overcome the rejection and respectfully requests the Section 102 rejection of claim 1, and the claims that depend therefrom, be withdrawn.

Regarding independent claims 9 and 17, which contain similar recitations to those listed above for claim 1, for at least those reasons given above for claim 1, the Examiner has also failed

to establish a *prima facie* case of anticipation of these claims. Accordingly, Applicant believes the above arguments have overcome the rejection and respectfully requests the Section 102 rejection of claims 9 and 17, and the claims that depend, respectively, therefrom, be withdrawn.

Accordingly, Applicant believes that claims 1 through 24 are allowable over the applied art and respectfully requests a notice of allowance to that effect be issued.

35 U.S.C. § 103(a) Rejections

Claims 3, 4, 11, 12, 19 and 20 are Patentable Over the Prior Art

Claims 3, 4, 11, 12, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher in view of Osborne, U.S. Patent No. 6,078,733. Applicant respectfully traverses the rejection.

Regarding claims 3, 4, 11, 12, 19 and 20, for at least those reasons given above for claims 1, 9 and 17 the Examiner has also failed to establish a *prima facie* case of obviousness of these claims. Therefore, Applicant respectfully submits that the Examiner has failed to establish a *prima facie* case of obviousness for claims 3, 4, 11, 12, 19 and 20. Accordingly, Applicant respectfully requests that the Section 103 rejection be withdrawn and a notice of allowance be issued for claims 3, 4, 11, 12, 19 and 20.

Claims 5, 6, 13, 14, 21 and 22 are Patentable Over the Prior Art

Claims 5, 6, 13, 14, 21 and 22 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Boucher in view of Osborne and further in view of Krishnan et al., U.S. Patent No. 4,922,416. Applicant respectfully traverses the rejection.

Regarding claims 5, 6, 13, 14, 21 and 22, for at least those reasons given above for claims 1, 9 and 17, Applicant believes that the Examiner has failed to establish a *prima facie* case of obviousness for claims 5, 6, 13, 14, 21 and 22. Accordingly, Applicant respectfully requests that the Section 103 rejection be withdrawn and a notice of allowance be issued for claims 5, 6, 13, 14, 21 and 22.

Claims 7, 8, 15, 16, 23 and 24 are Patentable Over the Prior Art

Claims 7, 8, 15, 16, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher in view of Osborne and further in view of Krishnan et al. and Chow et al, U.S. Patent No. 6,052,387. Applicants respectfully traverse the rejection.

Regarding claims 7, 8, 15, 16, 23 and 24, for at least those reasons given above for claims 1, 9 and 17, Applicant believes that the Examiner has failed to establish a *prima facie* case of obviousness for claims 7, 8, 15, 16, 23 and 24. Accordingly, Applicant respectfully requests that the Section 103 rejection be withdrawn and a notice of allowance be issued for claims 7, 8, 15, 16, 23 and 24.

Therefore, Applicant believes all of the pending claims are allowable and respectfully requests timely issuance of a notice of allowance thereto.

CONCLUSION

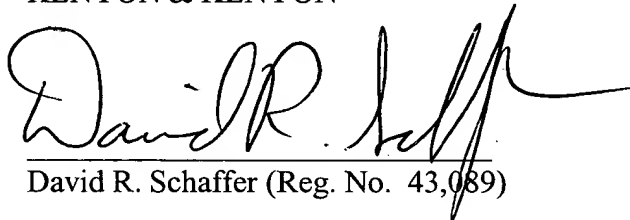
In view of the above remarks, the Applicant respectfully submits that the present case is in condition for allowance and again requests that the Examiner issue a notice of allowance to that effect for all currently pending claims.

Applicants authorize the Commissioner to charge any fees determined to be due under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayment to Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned at (202) 220-4263 to discuss any matter concerning this application.

Respectfully submitted,

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